

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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ABS GLOBAL, INC.,

Plaintiff/Counterclaim Defendant,

v.

INGURAN, LLC,

Defendant/Counterclaimant/Third-Party Plaintiff,

and

XY, LLC,

Intervening Defendant/Counterclaimant/Third-Party Plaintiff,

v.

GENUS PLC,

Third-Party Defendant.

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ORDER

14-cv-503-wmc

Having reviewed ST's amended proponent deposition designations (dkt. #630), the court makes the following rulings as to witness Ian Biggs. The approved designations may be presented to the jury unless the witness is available to testify in person. **ST shall remove all objections and any other asides or discussions between counsel and/or with the court reporter, even where not noted by the court in its rulings.**

<b>Ian Biggs</b>	6:7-10	Statements of the videographer are not evidence <b>(Sustained)</b>	24:15-23 29:17-30:3 32:19-21 60:19-61:16		30:4-6; 30:9-22	
	6:21-12:24	Statements of the videographer are not evidence [6:21-7:5] <b>(Sustained)</b>				
		Identification of counsel is not evidence [7:6-16] <b>(Sustained)</b>	61:23-62:5 62:8-63:19	402/403,602 801/082 Assumes facts not in evidence [62:2-5 <b>(Overruled)</b> , 62:8-11 <b>(Overruled)</b> ]; Assumes facts not in evidence [62:22-25 <b>(Overruled)</b> ; 63:16-19 <b>(Overruled)</b> ]		
	13:9-16:22	Improper comment on testimony [10:3; 10:11] <b>(Sustained)</b>				
	17:2-20:7	Question assumes fact not in evidence [16:19-22] <b>(Sustained)</b>	63:23-64:10 64:12-65:13			
		Question assumes fact not in evidence [17:2-9] <b>(Sustained)</b>				
	20:10-14	Question is leading [20:5-7] <b>(Sustained)</b>		402/403 602 701 Assumes facts not in evidence [64:7-10 <b>(Overruled)</b> ; 64:12-65:2] <b>(Overruled)</b> ;		
	20:17-21					
	20:24-21:7	Question is leading [20:10; 20:12-14] <b>(Sustained as to 20:10; overruled as to 20:12-14)</b>				
	21:12-20 (starting at "How					

	would . . .") 22:8-11	Question is leading [20:17 ( <b>Overruled</b> ); 20:19-21 ( <b>Sustained</b> )]		402/403 602 [65:8-13 ( <b>Overruled</b> )]		
	22:15-23:19 (starting at "Is that amendment . . .")	Question is leading [20:24] ( <b>Sustained</b> )				
	24:7-14					
	24:24-28:13	Questions are leading [28:11- 13] ( <b>Sustained</b> )				
	28:16-25	Questions are leading ( <b>Sustained</b> )				
	29:4-16	Questions are leading [29:4] ( <b>Sustained</b> )				
	32:22-35:2					
	35:5-36:22					
	37:13-38:14					

	38:17-39:11	Question is leading [38:17] <b>(Overruled)</b>				
	39:14-41:22					
	42:18-43:18					
	44:24-46:3					
	46:19-48:14					
	50:9-21					
	50:24-51:4					

	51:9-13	Question is leading ( <b>Overruled</b> )				
	51:16-53:19	Question is leading [51:16- 20; 53:15-19] ( <b>Overruled</b> )				
	53:22-56:6	Question is leading [53:22- 54:5] ( <b>Overruled</b> )				
	58:13-59:12					

	60:5-9	Question mischaracterizes ABS's complaint ( <b>Sustained</b> )				
	60:11-14	Question mischaracterizes ABS's complaint ( <b>Sustained</b> )				
	65:17-24	Improper commentary on testimony ( <b>Sustained</b> )				

Entered this 3rd of August, 2016.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge